

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Niaja Brown

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Pro se

DEFENDANTS

The Children's Hospital of Philadelphia

County of Residence of First Listed Defendant Philadelphia
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Neil J. Hamburg, Esquire/Nancy L. Goldstein, Esquire
HAMBURG & GOLDEN, P.C.

1601 Market Street, Suite 3310, Phila., PA 19103-1443

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input checked="" type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
			IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. 2000(e), et. seq.

Brief description of cause:

Wrongful termination of employment in violation of civil rights

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
in excess of \$50,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

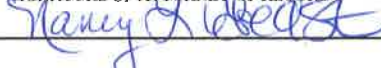
JUDGE

DOCKET NUMBER

DATE

June 6, 2018

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Niaja Brown	:	CIVIL ACTION
	:	
v.	:	
	:	
The Children's Hospital of Philadelphia	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

June 6, 2018

Date

(215) 255-8594

Telephone


Nancy L. Goldstein

Attorney-at-law

(215) 255-8583

FAX Number

Defendant, The Children's Hospital of

Attorney for Philadelphia

goldsteinnl@hamburg-golden.com

E-Mail Address

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 1212 North 64th Street, Philadelphia, PA 19151

Address of Defendant: 3401 Civic Center Boulevard, Philadelphia, PA 19104

Place of Accident, Incident or Transaction: Philadelphia, PA

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 06/06/2018

Nancy L. Goldstein

40019

Attorney-at-Law / Pro Se Plaintiff

Attorney I.D. # (if applicable)

CIVIL: (Place a \checkmark in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
 - ☐ 2. FEHA
 - ☐ 3. Jones Act-Personal Injury
 - ☐ 4. Antitrust
 - ☐ 5. Patent
 - ☐ 6. Labor-Management Relations
 - ☒ 7. Civil Rights
 - ☐ 8. Habeas Corpus
 - ☐ 9. Securities Act(s) Cases
 - ☐ 10. Social Security Review Cases
 - ☐ 11. All other Federal Question Cases
- (Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
 - ☐ 2. Airplane Personal Injury
 - ☐ 3. Assault, Defamation
 - ☐ 4. Marine Personal Injury
 - ☐ 5. Motor Vehicle Personal Injury
 - ☐ 6. Other Personal Injury (Please specify): _____
 - ☐ 7. Products Liability
 - ☐ 8. Products Liability - Asbestos
 - ☐ 9. All other Diversity Cases
- (Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, _____, counsel of record or pro se plaintiff, do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

☐ Relief other than monetary damages is sought.

Because this is a Notice of Removal, filing counsel does not represent the plaintiff and does not have knowledge to accurately complete the arbitration certification.

DATE: _____

Attorney-at-Law / Pro Se Plaintiff

Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NIAJA BROWN	:	
Plaintiff	:	
	:	CIVIL ACTION
v.	:	
	:	NO.
THE CHILDREN'S HOSPITAL OF	:	
PHILADELPHIA	:	
Defendant	:	

NOTICE OF REMOVAL OF CIVIL ACTION FROM STATE COURT

Defendant, the proper name of which is The Children's Hospital of Philadelphia (CHOP), by and through its undersigned counsel, hereby removes this case pursuant to 28 U.S.C. § 1441, to this Court from the Philadelphia County Court of Common Pleas. In support, CHOP states the following:

1. On May 31, 2018, plaintiff Niaja Brown, *pro se*, filed a complaint for wrongful discharge, together with a Petition to Proceed *in forma pauperis*, in the Philadelphia Court of Common Pleas ("Philadelphia CCP"), May Term 2018, No. 03328. Exhibit 1, the Philadelphia CCP docket; Exhibit 2, the Philadelphia CCP Complaint.

2. Specifically, Plaintiff claims her discharge from CHOP was unlawful because it violated "Title VII of the Civil Rights Act of 1964." ("Title VII"). Complaint, paragraph 9, Exhibit 2.

3. Plaintiff further claims her discharge from CHOP was unlawful because CHOP is "in violation of the Declaration of Helsinki." Complaint, paragraph 10, Exhibit 2.

4. This Court has original jurisdiction under 28 U.S.C. § 1331 over the claims for discrimination based upon Title VII, 42 U.S.C. 2000(e), *et. seq.*, raised by plaintiff in the Philadelphia CCP action because the claims arise under the laws of the United States.

5. This Court has original jurisdiction under 28 U.S.C. § 1331 over the claims for discrimination and retaliation raised by plaintiff in the Philadelphia CCP action because the claims arise under the laws of the United States.

6. By reason of the foregoing, CHOP is entitled to have this case removed from the Philadelphia County Court of Common Pleas to the United States District Court for the Eastern District of Pennsylvania.

7. In accordance with 28 U.S.C. § 1446(b), this Notice of Removal has been filed "within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is removable or has become removable."

8. This Court is the district embracing the place where the State Court Action is pending for purposes of 28 U.S.C. § 1441(a).

9. True and correct copies of this Notice of Removal are being promptly filed with the Philadelphia Court of Common Pleas, and served this date upon plaintiff.

10. In accordance with 28 U.S.C. § 1446(a), CHOP is attaching copies of all process, pleadings, and orders served upon CHOP in the Philadelphia CCP action.

WHEREFORE, Defendant, The Children's Hospital of Philadelphia, requests that this case be removed to the United States District Court for the Eastern District of Pennsylvania, that this Court accept jurisdiction of this action and that this action be henceforth placed on the docket of the Court for all further proceedings.

Respectfully submitted,


/s/ Nancy L. Goldstein

NEIL J. HAMBURG

NANCY L. GOLDSTEIN

ID. Nos. 32175 and 40019

HAMBURG & GOLDEN, P.C.

1601 Market Street, Suite 3310

Philadelphia, PA 19103-1443

(215) 255-8590

hamburgnj@hamburg-golden.com

goldsteinnl@hamburg-golden.com

Attorneys for Defendant

The Children's Hospital of

Philadelphia

Dated: June 6, 2018

CERTIFICATE OF SERVICE

I, Nancy L. Goldstein, certify that the foregoing Notice of Removal has been filed electronically and is now available for viewing and downloading from the Court's Electronic Case Filing System. I further certify that a copy of the foregoing pleading is being served by certified first class mail, return receipt requested, on the below date, upon:

Niaja Brown
1212 N. 64th Street
Philadelphia, PA 19151



/s/ Nancy L. Goldstein
NANCY L. GOLDSTEIN

Dated: June 6, 2018

EXHIBIT 1



The Philadelphia Courts

Civil Docket Access

No Items in Cart | LOGIN

Civil Docket Report

A \$5 Convenience fee will be added to the transaction at checkout.

Case Description

Case ID: 180503328
Case Caption: BROWN VS CHILDREN'S HOSPITAL OF PHILADELPHIA
Filing Date: Thursday , May 31st, 2018
Court: MAJOR JURY
Location: City Hall
Jury: JURY
Case Type: EMPLOYMENT, WRONGFUL DISCHARGE
Status: WAITING TO LIST CASE MGMT CONF

Related Cases*No related cases were found.***Case Event Schedule***No case events were found.***Case motions**

Motion	Assign/Date	Control No	Date/Received	Judge
MOT-PROCEED IN FORMA PAUPERIS	31-MAY-2018	18054093	31-MAY-2018	JUDGE, SUPERVISING



Case Parties



Seq #	Assoc	Expn Date	Type	Name
1			PRO SE FILER	BROWN, NIAJA Y
Address:	1212 N 64TH ST PHILADELPHIA PA 19151 (215)888-4882	Aliases:	none	

2	1		PLAINTIFF	BROWN, NIAJA
Address:	1212 N 64 ST PHILADELPHIA PA 19151	Aliases:	none	
3			DEFENDANT	CHILDREN'S HOSPITAL OF PHILADELPHIA
Address:	3401 CIVIC CENTER BLVD PHILADELPHIA PA 19104	Aliases:	none	
4			JUDGE	JUDGE, SUPERVISING
Address:	656 CITY HALL PHILADELPHIA PA 19107	Aliases:	none	

Docket Entries

Filing Date/Time	Docket Type	Filing Party	Disposition Amount	Approval/Entry Date
31-MAY-2018 11:37 AM	ACTIVE CASE			31-MAY-2018 11:40 AM
Docket Entry:	E-Filing Number: 1805070834			
31-MAY-2018 11:37 AM	COMMENCEMENT CIVIL ACTION JURY	BROWN, NIAJA Y		31-MAY-2018 11:40 AM
Documents:	🔗 Click link(s) to preview/purchase the documents Final Cover		<div> Click HERE to purchase all documents related to this one docket entry</div>	
Docket Entry:	none.			

31-MAY-2018 11:37 AM	COMPLAINT FILED NOTICE GIVEN	BROWN, NIAJA Y		31-MAY-2018 11:40 AM
Documents:	Click link(s) to preview/purchase the documents doc12090820180531113539.pdf <div>  Click HERE to purchase all documents related to this one docket entry </div>			
Docket Entry:	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 FILED.			
31-MAY-2018 11:37 AM	JURY TRIAL PERFECTED	BROWN, NIAJA Y		31-MAY-2018 11:40 AM
Docket Entry:	12 JURORS REQUESTED.			
31-MAY-2018 11:37 AM	WAITING TO LIST CASE MGMT CONF	BROWN, NIAJA Y		31-MAY-2018 11:40 AM
Docket Entry:	<i>none.</i>			
31-MAY-2018 11:37 AM	MOT-PROCEED IN FORMA PAUPERIS	BROWN, NIAJA Y		31-MAY-2018 11:40 AM
Documents:	Click link(s) to preview/purchase the documents In Forma Pauperis Form (CONFIDENTIAL) IFP CoverSheet Form (CONFIDENTIAL) <div>  Click HERE to purchase all documents related to this one docket entry </div>			
Docket Entry:	93-18054093 (FILED ON BEHALF OF NIAJA BROWN)			
31-MAY-2018 03:14 PM	MOTION ASSIGNED			31-MAY-2018 03:14 PM
Docket Entry:	93-18054093 MOT-PROCEED IN FORMA PAUPERIS ASSIGNED TO JUDGE: JUDGE, SUPERVISING . ON DATE: MAY 31, 2018			
05-JUN-2018 10:36 AM	AFFIDAVIT OF SERVICE FILED	BROWN, NIAJA		05-JUN-2018 12:00 AM

Documents:	 Click link(s) to preview/purchase the documents AFDVT_8.pdf	 Click HERE to purchase all documents related to this one docket entry
Docket Entry:	OF COMPLAINT BY PERSONAL SERVICE UPON MICHELLE REGABULTO OF CHOP ON JUNE 1, 2018 AT 11:45AM BY AJIBADE M. MELANA.	

► [Case Description](#)

► [Related Cases](#)

► [Event Schedule](#)

► [Case Parties](#)

► [Docket Entries](#)

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EXHIBIT 2

Court of Common Pleas of Philadelphia County
Trial Division**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

MAY 2018**003328**

E-Filing Number: 1805070834

PLAINTIFF'S NAME NIAJA BROWN		DEFENDANT'S NAME CHILDREN'S HOSPITAL OF PHILADELPHIA	
PLAINTIFF'S ADDRESS 1212 N. 64 ST PHILADELPHIA PA 19151		DEFENDANT'S ADDRESS 3401 CIVIC CENTER BLVD PHILADELPHIA PA 19104	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 1	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other:		
CASE TYPE AND CODE 1E - EMPLOYMENT, WRONGFUL DISCHARGE			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
FILED PRO PROTHY MAY 31 2018 M. BRYANT			
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>NIAJA BROWN</u> Papers may be served at the address set forth below.			
NAME OF PLAINTIFFS/PETITIONER'S/APPELLANT'S ATTORNEY NIAJA Y. BROWN		ADDRESS 1212 N 64TH ST PHILADELPHIA PA 19151	
PHONE NUMBER (215) 888-4882	FAX NUMBER none entered		
SUPREME COURT IDENTIFICATION NO. na		E-MAIL ADDRESS ajain0315@outlook.com	
SIGNATURE OF FILING ATTORNEY OR PARTY NIAJA BROWN		DATE SUBMITTED Thursday, May 31, 2018, 11:37 am	

FINAL COPY (Approved by the Prothonotary Clerk)

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA

Filed and Attested by the
Office of Judicial Records
31 MAY 2018 12:37 am
M. BRYANT



Niqa Brown

V

Children's Hospital of Phila

No

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Philadelphia Bar Association
Lawyer Referral
and Information Service
One Reading Center
Philadelphia, Pennsylvania 19107
(215) 238-6333
TTY (215) 451-6197

10-284

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta ascantar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sen avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

Asociacion De Licenciados
De Filadelfia
Servicio De Referencia E
Informacion Legal
One Reading Center
Filadelfia, Pennsylvania 19107
(215) 238-6333
TTY (215) 451-6197

Case ID: 180503328

IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL

Niaja Brown

Plaintiff(s)

Term, 20____

Children's Hospital of
Philadelphia

Defendant(s)

No. _____

CIVIL ACTION COMPLAINT

1. I Niaja Brown am bringing a complaint against my former employer Children's Hospital of Philadelphia
2. I currently reside at 1212 N. 64th Phila. PA 19151
3. I am stating that Children's Hospital of Phila at 3401 Civic Center Blvd. Phila PA 19104 wrongful terminated my employment within their organization.
4. I was a Union member and had a contracted obligation to fulfill until July. 1. 2021
5. The termination was executed on Dec. 5. 2017, but prior to that I was placed on unpaid leave for not getting the Flu shot prior to their Nov. 15. 2017 deadline.
6. I Niaja Brown placed an Advance Directive

Case ID: 180503328

cont.

within my file backed by International Law
against be coerce into getting the Flu Shot against
my will.

7. My former Employer "Children's Hospital of Philadelphia"
had an allowance for exemption in their Policy.

8. I, Niaga Brown explain to my former employer
"Children's Hospital of Philadelphia" that my religious
belief had no other authority stemming from the
progression of my faith transitioning and that I should have
been good enough authority.

9. Children's Hospital is in Violation of Title VII
of the Civil Rights Act of 1964.

10. Being that Children's Hospital of Philadelphia is a
research organization they are also in Violation of
the Declaration of Helsinki.

11. I, Niaga Brown would also like a subpoena of
documents from Children's Hospital of Philadelphia
to support that my beliefs were being violated
in connection with the Flu shot and also evaluation of
performance to show that my exemplary work performance
and not putting patients at jeopardy.

Wherefore, Plaintiff requests damages in an amount to
be determined at trial, ^{excess 50,000} court costs, and for such other
and further relief as the court deems just and proper.

VERIFICATION

Plaintiff(s)

Niaja Brown

hereby verify that the statements set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that these statements are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Niaja Brown
Signature

Signature

Dated:

5/30/2018

PHILADELPHIA COURT OF COMMON PLEAS
PETITION/MOTION COVER SHEET

FOR COURT USE ONLY	
ASSIGNED TO JUDGE:	ANSWER/RESPONSE DATE: 06/11/2018
Do not send Judge courtesy copy of Petition/Motion/Answer/Response. Status may be obtained online at http://courts.phila.gov	

CONTROL NUMBER:

18054093

(RESPONDING PARTIES MUST INCLUDE THIS
NUMBER ON ALL FILINGS)

May Term, 2018
Month Year
No. 03328

BROWN VS CHILDREN'S HOSPITAL OF
PHILADELPHIA

Name of Filing Party:
NIAJA BROWN-PLF

INDICATE NATURE OF DOCUMENT FILED:

☐ Petition (Attach Rule to Show Cause) ☒ Motion
☐ Answer to Petition ☐ Response to Motion

Has another petition/motion been decided in this case? ☐ Yes ☐ NoIs another petition/motion pending? ☐ Yes ☐ No

If the answer to either question is yes, you must identify the judge(s):

TYPE OF PETITION/MOTION (see list on reverse side)		PETITION/MOTION CODE (see list on reverse side)
MOT-PROCEED IN FORMA PAUPERIS		MTIFP
ANSWER / RESPONSE FILED TO (Please insert the title of the corresponding petition/motion to which you are responding):		
I. CASE PROGRAM OTHER PROGRAM Court Type: <u>MAJOR JURY</u> Case Type: <u>EMPLOYMENT, WRONGFUL DISCHARGE</u>		II. PARTIES (required for proof of service) (Name, address and telephone number of all counsel of record and unrepresented parties. Attach a stamped addressed envelope for each attorney of record and unrepresented party.) NIAJA Y BROWN 1212 N 64TH ST, PHILADELPHIA PA 19151 CHILDREN'S HOSPITAL OF PHILADELPHIA 3401 CIVIC CENTER BLVD, PHILADELPHIA PA 19104
III. OTHER		

By filing this document and signing below, the moving party certifies that this motion, petition, answer or response along with all documents filed, will be served upon all counsel and unrepresented parties as required by rules of Court (see P.A. R.C.P. 206.6, Note to 208.2(a), and 440). Furthermore, moving party verifies that the answers made herein are true and correct and understands that sanctions may be imposed for inaccurate or incomplete answers.

(Attorney Signature/Unrepresented Party)

May 31, 2018
(Date)

NIAJA Y. BROWN
(Print Name)

(Attorney I.D. No.)

The Petition, Motion and Answer or Response, if any, will be forwarded to the Court after the Answer/Response Date.
No extension of the Answer/Response Date will be granted even if the parties so stipulate.

30-1061B E-File# 1805070834

31-MAY-18 11:40:50



First Judicial District of Pennsylvania
Court of Common Pleas of Philadelphia County
Civil Trial Division

BROWN VS CHILDREN'S HOSPITAL
OF PHILADELPHIA

MAY Term, 2018

No. 03328

In Forma Pauperis Order

AND NOW, this _____ day of _____, 20____, it is
hereby **ORDERED** and **DECREED** that:

1. Petitioner be permitted to proceed without paying the costs of this proceeding.
2. Petitioner be permitted to obtain service of the papers filed without cost.
3. Petitioner be permitted to proceed *in forma pauperis* as to any additional costs which accrue in the course of this proceeding.
4. If there is a monetary recovery by judgment or settlement in favor of the party permitted to proceed *in forma pauperis*, the exonerated fees and costs shall be taxed as costs and paid to the Office of Judicial Records by the party paying the monetary recovery.
5. Petitioner has a continuing obligation to inform the Court of any improvement in party's financial circumstances that will enable the party to pay costs.
6. Filing party must obtain attested copies of the original pleading for service. If more than thirty (30) days has expired, the pleading must be reinstated first.

BY THE COURT:

J.

First Judicial District of Pennsylvania
Court of Common Pleas of Philadelphia County
Trial Division - Civil

NIAJA Y. BROWN, *pro se*
(your name)

1212 N 64TH ST
PHILADELPHIA PA 19151

(full address)

(area code and telephone number)

BROWN VS CHILDREN'S
HOSPITAL OF PHILADELPHIA

MAY, TERM, 2018

No. 03328

*Petition to Proceed In Forma Pauperis
and Without Payment of Bond*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Petitioner, NIAJA Y. BROWN, seeks

leave to proceed in this matter in forma pauperis, and respectfully represents that:

1. I am the *Pro Se Filer* in these proceedings.

2. I reside at

1212 N 64TH ST

3. I have listed my sources and amounts of income truly and correctly on the attached affidavit.

4. I have the following average monthly expenses for the indicated items:

Housing: <u>\$0.00</u>	Insurance: <u>\$160.00</u>
Utilities	Transportation: <u>\$100.00</u>
(Gas): <u>\$78.00</u>	Medical: <u>\$121.00</u>
(Oil): <u>\$0.00</u>	Loans: <u>\$0.00</u>
(Electric): <u>\$100.00</u>	Laundry: <u>\$50.00</u>
(Phone): <u>\$100.00</u>	Child Care: <u>\$0.00</u>
Food: <u>\$1,000.00</u>	Child Support: <u>\$0.00</u>
Clothing: <u>\$200.00</u>	Other: <u>0</u>

5. I neither own nor have equity in any assets other than the following (*values in dollar amounts*): House that is in Foreclosure

6. I am unable to pay the costs of these proceedings or to obtain the amount of costs from family or friends.

WHEREFORE, Petitioner prays that he/she be permitted to proceed in this matter *in forma pauperis*.

NIAJA Y. BROWN

Petitioner

First Judicial District of Pennsylvania
Court of Common Pleas of Philadelphia County
Civil Trial Division

NIAJA Y. BROWN, *pro se*

(your name)

1212 N 64TH ST
PHILADELPHIA PA 19151

(full address)

(area code and telephone number)

BROWN VS CHILDREN'S HOSPITAL
OF PHILADELPHIA

MAY, TERM, 2018

No. 03328

Petitioner's Affidavit
Pursuant to PA. R.C.P. 240

COMMONWEALTH OF PENNSYLVANIA

SS

COUNTY OF PHILADELPHIA

1. I, NIAJA Y. BROWN, am the *Pro Se Filer*

in the above matter and because of my financial condition am unable to pay the fees
and costs of prosecuting or defending the action or proceeding.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.
3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

(a) Name: NIAJA Y. BROWN

Address: 1212 N 64TH ST
PHILADELPHIA PA 19151

(b)EMPLOYMENT

If you are presently employed, stat:

Employer : Unemployed

Address: _____

Salary/wages

Per Month: _____

Type of Work: _____

If you are presently unemployed, state:

Employer & date of last Employment: Children's Hospital of Philad 05-DEC-17

Salary/Wages

Per Month: \$17,000.00

Type of Work: Nursing Assista

(c) OTHER INCOME WITHIN THE PAST TWELVE (12) MONTHS

(value as dollar amounts)

Business or Profession: \$0.00

Other Self-employment: \$0.00

Interest: \$0.00

Dividends: \$0.00

Pension and Annuities: \$0.00

Social Security Benefits: \$0.00

Support Payments: \$0.00

Disability Payments: \$0.00

Unemployment Compensation &
Supplemental Benefits: \$0.00 \$0.00

Workmans' Compensation: \$0.00

Public Assistance: \$0.00

Other: 2000

(d) OTHER CONTRIBUTIONS TO HOUSEHOLD SUPPORT (*value in dollar amounts*)

()

Name: _____

If your () is employed, state:

Employer: _____

Salary/Wages Per Month: _____

Type of Work: _____

Contributions From Children: \$0.00

Contributions From Parents: \$0.00

Other Contributions: \$0.00

(e) PROPERTY OWNED (*state as dollar amounts*)

Cash: \$0.00

Checking Account: \$400.00

Savings Account: \$1,000.00

Certificates of Deposit: \$0.00

Real Estate
(Including Home): \$0.00

Motor Vehicle: Make : Nissan Murano Year : 2007

Cost : \$25,000.00 Amount Owed : \$0.00

Stocks & Bonds: \$0.00

Other: 0

(f) DEBTS AND OBLIGATIONS (*value as dollar amounts*)

Mortgage: \$0.00

Rent: \$0.00

Loans: \$0.00

Other: \$0.00

(g) PERSONS DEPENDENT UPON YOU FOR SUPPORT

Enter Relationship, Name, Age

Aset Hosten, 13

Amunet Hosten, 9

4. I understand that I have a continuing obligation to inform the Court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

Dated: 31 MAY 2018

NIAJA Y. BROWN

Petitioner

Certificate of Service

I hereby certify that a true and correct copy of the foregoing petition was properly served upon all other parties or their attorney of record on the date listed below.

I
Date: 31 MAY 2018

NIAJA Y. BROWN

Petitioner

Commonwealth Of Pennsylvania
COUNTY OF PHILADELPHIA

Niaja BROWN
 Plaintiff

vs.

Children's Hospital of Phila
 Defendant

Court of Common Pleas

May

Term, 20 18

No. 03328

REC'D MAY 31 2018

Subpoena to Produce Documents or Things
for Discovery Pursuant to Rule 4009.22

TO: Children's Hospital of Philadelphia
 (Name of Person or Entity)

Within twenty (20) days after the service of this subpoena, you are ordered by the Court to produce the following documents or things: The questionnaire with response in connection with obtaining the Flu Shot, in addition employee performance record along with work attendance history to prove employee health was maintained regardless of Flu season
 at 3401 Civic Center Blvd Phila. PA 19104

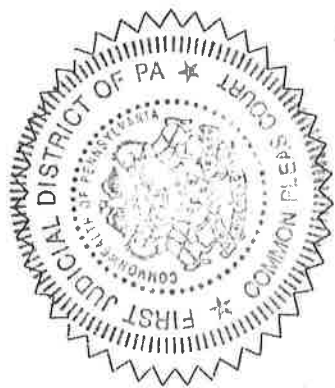
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

This subpoena was issued at the request of the following person:

Name: Niaja BROWN
 Address: 1212 N 64th
Philadelphia, PA 19151
 Telephone: 215-888-4882
 Supreme Court ID#: _____
 Attorney for: _____



BY THE COURT:

Eric Feder

Director, Office of Judicial Records

PRO _____

Phyllis M. Taylor